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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/593,543	06/14/2000	Stephen P. Forte	T7093.0010/P010	8081

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EXAMINER

NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
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2614

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/593,543

Applicant(s)

FORTE, STEPHEN P.

Examiner

Quynh H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,9-19,28,30-32 and 36-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,9-19,28,30-32 and 36-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

ETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Applicant's amendment filed 11/22/06 has been entered. Claims 1, 28, and 30, have been amended. No claims have been cancelled. No claims have been added. Claims 1-4, 9-18, 28, 30-32, and 36-38 are still pending, with claims 1, 28, and 30 being independent.

Claim Rejections - 35 USC § 103

3. Claims 1-4, 10-18, 28, 30-32, and 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harlow et al. (U.S. Patent 5,206,901) in view of Brennan et al. (U.S. Patent 5,329,578).

Regarding claims 1, Harlow et al. teaches a receiving module receiving a telephone call for a user from a calling device (col. 2, lines 32-34); a processor ("switching service point") identifying a dialed telephone number ("*a destination directory number*" - see Abstract and col. 2, line 12) associated with the call, the processor using the dialed telephone number to retrieve from a storage medium (col. 2, lines 34-37) a first telephone number ("*primary telephone number*"), a second telephone number ("*secondary telephone number*"), each of which being associated with the user (col. 4, lines 37-41), the processor using at least one retrieved user preference ("*query*

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the shared database returns routing numbers") to dial the first telephone number to form a first communication path between the processor and the first telephone number and dial the second telephone number to form a second different communication path between the processor and the second telephone number substantially simultaneously (col. 4, lines 35-54; col. 8, lines 32-41).

Harlow et al. does not teach the processor holds the call for a predetermined time until it is determined that a user has answered a device associated with one of the first and second telephone numbers, said processor authenticates the answered device before forming a completed physical circuit connection between the calling device and the answered device by connecting the calling device to the formed communication path connected to the answered device.

Brennan et al. teaches the processor holds the call for a predetermined time until it is determined that a user has answered a device associated with one of the first and second telephone numbers, said processor authenticates the answered device before forming a completed physical circuit connection between the calling device and the answered device by connecting the calling device to the formed communication path connected to the answered device. (col. 9, lines 14-17 - *where Brennan discussed authenticating/verifying at the destination before connecting the call*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Brennan into the teachings of Harlow system in order to make sure the call is routed to the desired/right person in a shared telephone system, and not to any person who answers the telephone call.

Regarding claims 2 and 31, Harlow et al. teaches a first of the retrieved telephone numbers corresponds to the retrieved first telephone number and a second of the retrieved telephone numbers corresponds to the retrieved second telephone number (col. 2, lines 34-41).

Regarding claims 3 and 32, Harlow et al. teaches the processor routes the call to a third retrieved destination number associated with a voice mailbox telephone number after the predetermined time as defined by the at least one retrieved user preference (col. 6, lines 48-55).

Regarding claim 4, Brennan et al. teaches the predetermined time corresponds to a number of telephone rings (col. 5, line 60 through col. 6, line 15).

Regarding claims 10 and 15, Harlow and Brennan do not teach the processor receives the call from a private branch exchange or public switched telephone network, and at least one destination is associated with a private branch exchange. Both calls origination and termination could be in the same or different switch, the same switch is the preferred method mentioned in claims 10 and 15.

Regarding claims 11, 12, 16, and 36, Harlow et al. teaches the call is routed to a cellular telephone, which can operate independently from the telecommunication device (Fig. 1, 136 and col. 4, lines 6-19).

Regarding claims 13, 14, 37, and 38, Brennan et al. teaches the call is routed to a destination associated with a pager or a personal digital assistant (col. 6, lines 42-46).

Regarding claims 17 and 18, Brennan et al. teaches the processor is connected to a local area network or the Internet and at least one user preference is input via the

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local area network or Internet (col. 13, lines 4-14 - *where Brennan discussed user accesses his or her profile via the service interface, hence via local area network or Internet*).

Claim 28 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Harlow et al. teaches a connect unit (Fig. 1, SSP 110); first communication device at an extension of the "communication network" associated with the user (Fig. 1, 111); second communication device to the user (Fig. 1, 112). Network 100 in Harlow has devices extensions off of the communication network (Fig. 1). Brennan et al. also teaches network 12 have devices extensions off of the communication network (Fig. 1a) and (col. 9, lines 8-11 and col. 10, lines 17-20 - *where Brennan discussed shared telephone system, hence extension is an extension of the telecommunications network*).

Claim 30 is rejected for the same reasons as discussed above with respect to claim 1.

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Harlow et al. (U.S. Patent 5,206,901) in view of Brennan et al. (U.S. Patent) and further in view of Swan (U.S. Patent (5,978,451).

Regarding claim 9, Harlow and Brennan do not teach the processor prompts a caller of the telephone call with a menu of call destination options and the processor places the call to at least one destination telephone number in accordance with an option selected by the caller.

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Swan teaches a caller of the telephone call was prompted with a menu of call destination options and the call is routed to at least one destination telephone number in accordance with an option selected by the caller (col. 7, line 63 through col. 8, line 30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of prompting a caller of the telephone call with a menu of call destination options and route the call to at least one destination telephone number in accordance with an option selected by the caller, as taught by Swan, in Harlow's and Brennan's systems thus making the system more efficient by allowing callers have more control of the desired destination.

Response to Arguments

5. Applicant's arguments filed 11/22/06 have been fully considered but they are not persuasive.

Applicant's arguments are addressed in the above claims rejection.

Applicant mainly argues that in Brennan the physical connection is established before authentication, while the calling party in the claims invention is not physically connected to the called party until the claimed invention electronically switches the calls together to form a single circuit. Examiner respectfully submits that Brennan teaches a multi-threaded architecture (col. 9, lines 3-17) that does not connect the inbound call immediately to the remote devices until a user has answer a call, authenticates/verifies the answered device before connecting the call (col. 9, lines 14-17). Furthermore, in the art of telecommunication, when the communication device number is dialed by a caller,

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the communication established, the ring tone stopped, before the authentication process can be accomplished; otherwise the communication line keep ringing for a predetermined amount of time then either goes to voice mail or the call is tear down.

Applicant argues that it is improper to combine Brennan with Harlow. Examiner respectfully disagrees. Brennan and Harlow are both classified in class 379 Telephonic Communications

With respect to dependent claim 9 (remarks page 13-14), the same response as discussed above with respect to claim 1. Examiner cited Swan to fill the missing feature "a caller was prompted with a menu of call destination options and the call is routed to at least one destination telephone number in accordance with an option selected by the caller".

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

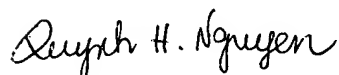
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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Quynh H. Nguyen
Primary Examiner
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